Remarks

Claims 1-7, 9-18 and 20-36 are currently pending in the subject application and are presently under consideration. The below comments present in greater detail distinctive features of applicants' claimed invention over the cited art that were conveyed to the Examiner over the telephone on January 14, 2008.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I.   Rejection of Claims 1-7, 9, 18 and 20 Under 35 U.S.C. §103(a)

Claims 1-7, 9, 18 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Christiano (US 5,671,412) in view of Microsoft (Microsoft Hails 10 Years of Publisher Charges Toward New Decade With Microsoft Publisher Deluxe, REDMOND, Wash., Oct. 15, 2001 at http://www.microsoft.com/presspass/press/2001/oct01/10-15TenYearsPublisherPR.mspx?pf=true).   Withdrawal of this rejection is requested for at least the following reasons. Christiano and Microsoft, individually or in combination, do not teach or suggest each and every element as set forth in the subject claims.

Applicants' claimed invention relates to a license enforcement system and methodology. The system comprises a monitoring component for monitoring use of licensed software applications and detecting variations from their respective licensing agreements in real-time. In particular, independent claim 1 recites *a system for enforcing, adding and transferring licenses to a computer system comprising: a license store that stores licenses and associated data; a wizard component; a license database interface component coupled to the wizard component, that communicates with a license database to provide access to the license database activation codes, wherein the wizard component provides a graphical user interface to facilitate communication between the license store and the license database; and wherein the wizard component receives an activation code entered by a user to activate a license component;* ***a monitoring component that monitors and manages valid licenses stored in the license store, the monitoring component utilizes license data from the license store to determine compliance with end user license agreements in real-time and supports a plurality of licensing schemes; an enforcement component that ensures compliance with licensing agreements by taking corrective actions; and a validation component that provides periodic validity checks on the license store to***

ensure that the license data has not been corrupted. Independent claim 18 further recites *accepting a license agreement by selecting a button indicating acceptance of the agreement; indicating a method of contacting a license database; providing a license code identifying a particular license component; receiving an activation code from the license database, wherein the activation code is provided to a license component to activate the license component which then installs digital licenses to the computer system.* Christiano and Microsoft, individually or in combination, fail to teach or suggest such features of the claimed invention.

Christiano discloses a software license management system. A license server provides packages and program licenses and allows several license modifiers to be stored in license records to provide a licensor with a variety of options and flexibility. At page 4 of the Final Office Action, the Examiner contends that Christiano discloses such novel features. Applicants' representative avers to the contrary. In accordance with the claimed subject matter, a license enforcement system comprises a license store that stores licenses and associated data such as the number of licenses and the type. A monitoring component utilizes the license data from the license store to determine compliance with end user licensing agreements in real time. The monitoring component monitors and manages the number of valid licenses stored in the license store and the number of licenses used. If there is a discrepancy, an enforcement system is notified, and a variety of corrective actions are taken, such as notification of violations, shutting down of all or parts of an application associated with the license etc. Further, the system includes a validation component that can provide periodic validity checks on the license store to ensure that data has not been tampered with by malicious persons or corrupted. The validations can be accomplished by retrieving a license key and hardware ID from a backup store. Retrieved license keys and hardware ID values can then be compared with the values in the license store. If data in the store is determined invalid, the validation component can subsequently attempt to delete the store. At the cited portions, Christiano discloses a license management system. A license server provides package and program licenses to a user upon receiving a request for a software product. The system allows several license modifiers to be stored in license records to provide a licensor with a variety of options and flexibility. When a request for a license for a software product is received from a client, the server examines license records in a database and grants the licenses according to a license policy. The license allows the client to use the requested software product. However, Christiano is silent regarding *a monitoring component*

that monitors and manages valid licenses stored in the license store, the monitoring component utilizes license data from the license store to determine compliance with end user license agreements in real-time and supports a plurality of licensing schemes; an enforcement component that ensures compliance with licensing agreements by taking corrective actions; and a validation component that provides periodic validity checks on the license store to ensure that the license data has not been corrupted as recited by independent claim 1.

Further, at the cited portions, Christiano discloses initializing a license database. Package descriptions and license items read from other data stores are added to the database. The steps performed before and after step 54, are to implement the license server, the steps of initializing network software and processes, bookkeeping steps such as allocating internal variables etc, are done before and after initializing the database. In contrast, the claimed invention allows a client to accept a license agreement by selecting a button, contacting a license database that is located at the server and providing a license code identifying a license component. The server then provides an activation code to the client, this activation code when entered in the license component of the client, allows the software to be installed. The license activation system allows a customer who has purchased licensed software to register the software by communicating with the system, typing in the license code provided with the purchased software and download activation license components which let the software be installed. Thus, Christiano is also silent regarding *a method for enforcing and adding licenses to a computer system, accepting a license agreement by selecting a button indicating acceptance of the agreement; indicating a method of contacting a license database; providing a license code identifying a particular license component; receiving an activation code from the license database, wherein the activation code is provided to a license component to activate the license component which then installs digital licenses to the computer system* as recited by claim 18.

Microsoft discloses wizards that guide a user step-by-step through the set up of any type of document and allow those without formal design training to make use of the application's professional level tools. However, Microsoft does not compensate for the aforementioned deficiencies of Christiano.

From the foregoing, it is clear that Christiano and Microsoft, individually or in combination do not teach or suggest the identical invention as recited in the subject claims.

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Accordingly, it is requested that this rejection with respect to independent claims 1 and 18 (and the claims that depend there from) should be withdrawn.

<div align="center">

CONCLUSION

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The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP497US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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